



# FloorPrep

---

Legislative Digest

Wednesday, April 12, 2000

---

J.C. Watts, Jr.  
Chairman  
4th District, Oklahoma

*House Meets at 10:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

**H.J. Res. 94-Tax Limitation Constitutional Amendment**

**H.R. 2328-The Clean Lakes Program**

**H.R. 3039-Chesapeake Bay Restoration Act of 1999**

\* \* \*

**H. J. Res. 94—Tax Limitation Amendment 2000**

**Floor Situation:** The House will consider H.J. Res. 94, the Tax Limitation Constitutional Amendment. Yesterday, the Rules Committee granted a modified closed rule that provides for two hours of debate to be equally divided and controlled by the chairman and the ranking member of the Committee on the Judiciary. The rule provides for one amendment printed in the *Record* if offered by the Minority Leader or his designee.

**Summary:** H. J. Res. 94 proposes to amend the U.S. Constitution to require that any bill, resolution or other legislative measure changing the internal revenue laws considered by each House of Congress have a concurrence of two-thirds of those present and voting for final adoption. There are exceptions to application of the amendment: (1) if the bill, resolution or legislative measure can be determined at the time of adoption, in a reasonable manner prescribed by law, to increase taxes by a *de minimus* amount, then the two-thirds requirement of the constitutional amendment does not apply; (2) Congress may waive the so-called super-majority requirement when a declaration of war is in effect or when the United States is engaged in a military conflict which causes an imminent and serious threat to national security and which is declared to exist and was adopted by a majority vote in both Houses and signed into law by the president.

\* \* \*

## **H.R. 2328—The Clean Lakes Program**

**Floor Situation:** The House will consider H.R. 2328. Yesterday, the Rules Committee granted an open rule that allows for one hour of general debate to be equally divided between the chairman and the ranking member of the Committee on Transportation and Infrastructure. The rule makes in order a committee amendment in the nature of a substitute as base text that is to be open for amendments by section and waives the rule prohibiting nongermane amendments to the committee substitute. The Chair is authorized to recognize Members who have pre-printed their amendments in the *Record*. The rule makes in order one motion to recommit, with or without instructions.

**Summary:** H.R. 2328 reauthorizes the Clean Lakes program that provides grants to states for FY2000-2005 at a level of \$50 million annually. It also adds funding (increase from \$15 million to \$25 million a year) for the “acidified waters” component of the program. Several lakes are added to the list of lakes to receive priority funding for demonstration projects: Otsego Lake in New York; Oneida Lake in New York; Raystown Lake in Pennsylvania; and Swan Lake in Itasca County, Minnesota. The Clean Lakes program expired in 1990 and the EPA has not requested funding for the program in recent years and it has not received appropriation funds since 1995. In May, 1996 EPA encouraged states to fund eligible Clean Lakes activities through funds made available for nonpoint source management. The funds authorized under H.R. 2328 will provide funding for the original Clean Lakes program.

**Costs/Committee Action:** CBO estimates that enactment will cost \$239 million over the next five years. The bill does not affect direct spending or receipts thus pay-as-you-go procedures do not apply.

The Transportation & Infrastructure Committee reported the bill by voice vote on March 16, 2000.

\* \* \*

## **H.R. 3039-Restoration of the Chesapeake Bay**

**Floor Situation:** Today the House will consider H.R. 2328. Yesterday, the Rules Committee granted an open rule that allows for one hour of general debate to be equally divided between the chairman and the ranking member of the Committee on Transportation and Infrastructure. The rule provides that the bill is open to amendment at any point and the Chair is authorized to recognize Members who have pre-printed their amendments in the *Record*. The rule makes in order one motion to recommit, with or without instructions.

**Summary:** H.R. 3039 amends the Federal Water Pollution Control Act (Clean Water Act) to continue the Chesapeake Bay Program administered by the Environmental Protection Agency. The bill creates a Chesapeake Bay Program Office within the Office of the EPA Administrator that will provide support to a new Chesapeake Bay Executive Council made up of the signatories to the Chesapeake Bay Agreement. The new Program Office will implement and coordinate science, research, modeling, data collection and other activities that support the Chesapeake Bay Program.

The office will also develop publications and provide technical assistance, develop and implement specific action plans and carry out the responsibilities of the Executive Council. It will also coordinate

the actions of appropriate federal state and local authorities in developing and implementing strategies to improve the water quality and living resources in the Chesapeake Bay ecosystem. The Administrator may also make federal technical assistance and other grants on a matching basis (up to 75 percent of the eligible costs) to implement and monitor activities under the Agreement. The federal share for implementation grants shall not exceed 50 percent.

The Administrator shall report on or before October 1 of each fiscal year on the status of the programs established under the bill, goals for the coming year and the net benefits of prior year projects. Federal agencies that operate facilities within the Chesapeake bay watershed are required to ensure their compliance with the Chesapeake Bay Agreement and include in their annual budget submissions any plans for expenditures for restoration or scientific investigation of the bay ecosystem.

Finally, H.R. 3039 authorizes a study by the Administrator every 5 years beginning in 2000 to the Chesapeake Bay program and an assessment of the state of the bay ecosystem. The bill authorizes \$30 million a year for FY2000-2005 for the Chesapeake Bay Program.

**Costs/Committee Action:** CBO estimates that the legislation will cost \$138 million in FY-2000-2005. The bill does not affect direct spending or receipts thus pay-as-you-go procedures do not apply.

The Transportation & Infrastructure Committee reported the bill by voice vote on March 16, 2000.

**Additional Information:** See *Legislative Digest*, Vol. XXIX, #10, April 7, 2000.

\* \* \*

---

Eric Hultman: *Managing Editor*

Brendan Shields: *Senior Legislative Analyst*  
Courtney Haller, Greg Mesack, Jennifer Lord &  
*Legislative Analysts*

House  
REPUBLICAN  
Conference

Legislative  
Digest

<http://hillsource.house.gov/LegislativeDigest>

---